

U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129

ENVIRONMENTAL ASSESSMENT

EA NUMBER: CO-100-2008-046 EA

PERMIT/LEASE/ALLOTMENT NUMBER: 0503671/04078 and 0503998/04078

PROJECT NAME: Ten year renewal of grazing leases #0503998 and #0503671 on the South Cedar Mountain Allotment, #04078.

LEGAL DESCRIPTION: See allotment map, Attachment 1.

Cedar Mountain Allotment:
#04078

T7N., R91W., E½NE¼ section 16
T7N., R91W., W½SE¼ section 16
T7N., R91W., SW¼ section 16
T7N., R91W., SW¼NW¼ section 25

372 acres - BLM

APPLICANTS: Cedar Mountain Trust and James and Linda Stehle.

PLAN CONFORMANCE REVIEW: The Proposed Action and Alternatives are subject to the following plan:

Name of Plan: Little Snake Resource Management Plan and Record of Decision

Date Approved: April 26, 1989

Results: The Proposed Action is consistent with the Little Snake Resource Management Plan, Record of Decision, Livestock Grazing Management objective to improve range conditions for both wildlife and livestock through proper utilization of key forage plants and adjusting livestock stocking rates as a result of vegetation studies.

The Proposed Action is located within the Management Unit 11B, Cedar Mountain and Management Unit 2, Northern Central. The Proposed Action is compatible with the livestock grazing management objective for M.U. 11B, which is to keep public lands open to grazing except within developed or intensively used recreation sites. The Proposed Action is also compatible with the livestock grazing management objective for M.U. 2, which is to provide for livestock grazing;

public lands are open to livestock grazing. Management practices or range improvement projects will be permitted and existing range improvements will be maintained consistent with the management objectives for this unit.

The Proposed Action and Alternatives have been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3).

Other Documents:

The Federal Land Policy and Management Act (FLPMA) of 1976, as amended (43 USC 1752).

Rangeland Reform Final Environmental Impact Statement, December, 1994.

Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado, February 12, 1997.

NEED FOR PROPOSED ACTION: BLM lease #0501275 which authorizes livestock grazing on the South Cedar Mountain Allotment, was due to expire on February 28, 2008. The lease was extended for one year until February 28, 2009 and extended again until February 28, 2010, under the same terms and conditions as the existing lease, in accordance with Section 325, Title III, H.R. 2691, Department of Interior and Related Agencies Appropriations Act, 2004 (P.L. 108-108).

In May of 2009 the lease was split into two separate leases because the base property had been separated among family members. New authorizations were created for John Stehle of the Cedar Mountain Trust and James and Linda Stehle. These new authorizations, #0503671 and #0503998, were issued under the same terms and conditions as their previous authorization #0501275 and are due to expire on February 28, 2010.

The leases are subject to renewal for a period of up to ten years at the discretion of the Secretary of the Interior, who delegated the authority to BLM. The BLM has the authority to renew the livestock grazing leases consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, *Federal Land Policy and Management Act*, and Little Snake Field Office's *Resource Management Plan/Environmental Impact Statement*. This Plan/EIS has been amended by *Standards for Public Land Health in the State of Colorado*.

In addition to the renewal of the grazing leases, the lessees have requested a change in the class of livestock authorized on the allotment. Currently sheep, cattle and goats are authorized; the renewed lease would authorize sheep, cattle and horses. Further, the South Cedar Mountain Allotment is not meeting the Standards for Rangeland Health, and livestock grazing has been determined to be one of the causal factors in the non-attainment of the standards. The regulations at 43 CFR 4180.2 (c) require that appropriate action be taken as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards.

This Environmental Assessment (EA) will analyze the impacts of livestock grazing on public lands managed by BLM and the change in type of livestock from sheep, cattle and goats to sheep cattle and horses. The EA will also analyze the impacts of the proposed weed control and seeding. The analysis will recommend terms and conditions to the leases which will improve or maintain public land health. The Proposed Action and alternatives will be assessed for meeting land health standards.

In order to graze livestock on public land, the livestock producer (permittee/lessee) must hold a grazing permit/lease. The grazing permittee/lessee has a preference right to receive the permit/lease if grazing is to continue. The land use plan allows grazing to continue. This EA will be a site specific analysis to determine if grazing should continue as provided for in the land use plan and to identify the conditions under which it can be renewed.

PUBLIC SCOPING PROCESS: The Little Snake Field Office sent out a Notice of Public Scoping in September of 2006, to determine the level of public interest, concern and resource conditions on the grazing permits and leases that were up for renewal in FY 2008. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on permit/lease renewals. Individual letters were sent to the affected permittees/lessees, informing them their permit/lease was up for renewal and requesting any information they wanted included in or taken into consideration during the renewal process. The issuance of a grazing lease for this allotment has been carefully analyzed within the scope of the specific action being taken, resource issues or concerns, and public input received.

BACKGROUND: The allotment is located six miles northwest of Craig, Colorado. Moffat County Road 7 runs through the southwest corner of the allotment. The elevation is generally 6,700 to 7,000 feet. The terrain is quite steep with slopes 10-40%. Mean annual precipitation is 13-15 inches. The dominant range site is sandy foothills, which supports a Wyoming big sagebrush-antelope bitterbrush/grass community.

The South Cedar Mountain Allotment is classified as a category C (custodial) allotment, which is defined by the Rangeland Program Summary for the Little Snake Resource Management Plan as 1) an allotment that has low production potential for livestock forage; 2) no major resource conflicts or controversy exist; 3) present management is accomplishing the desired results.

The South Cedar Mountain is currently permitted for 21 sheep and 4 cows from 03/01-05/10 and 12/01-02/28 at 100% PL for a total of 45 AUMs split between the two lessees. The lessees are authorized to run goats on the allotment, however, through the lease renewal process the class of livestock would be changed from goats to horses with cattle and sheep remaining on the lease.

MONITORING DATA/ASSESSMENT DATA: The allotment is south of the Lay Creek Watershed and within the Craig/Hayden Landscape. The Craig/Hayden Landscape was not assessed as part of a Land Health Assessment due to the high amount of private land, therefore an interdisciplinary team, made up of a rangeland management specialist and a wildlife biologist, conducted an upland health assessment in May of 2008. During the assessment, several issues were discovered including occupancy trespass, livestock trespass, severe hedging of browse species by

deer and elk, extremely high levels of invasive annual weeds, such as cheatgrass, filaree, bur buttercup and blue mustard and low density and diversity of native plants. Prickly pear cactus dominated much of the area.

It was determined that livestock grazing, past and present, was the causal factor in the non-attainment of standards.

PROPOSED ACTION AND ALTERNATIVES

PROPOSED ACTION: Continue to authorize livestock grazing on the South Cedar Mountain Allotment by renewing grazing leases #0503671 and #0503998 for a period of ten years, expiring February 28, 2020. The new terms would include a change in type of livestock from sheep, cattle or goats to sheep, cattle *or* horses.

The leases would be renewed as follows:

FROM:

Stehle, Jim and Linda, #0503998

Allotment	Livestock	Period of use		
<u>Name and Number</u>	<u>Number & Kind</u>	<u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Cedar Mountain #04078	11 Sheep	03/01 to 05/10	100	4
	2 Cattle	03/01 to 05/12	100	5
	11 Sheep	12/01 to 02/28	100	7
	2 Cattle	12/01 to 02/28	100	<u>6</u>
		Total		22

This lease is subject to the following Special Terms and Conditions:

1. Sheep, goats or cattle may be authorized on this allotment.
2. Use in the early spring pasture will be rotated annually.
3. The winter pasture will be partially used while feeding on private ground. The lease would continue to be subject to the standard and common terms and conditions.

TO:

James and Linda Stehle, #0503998

Allotment	Livestock	Period of use		
<u>Name and Number</u>	<u>Number & Kind</u>	<u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Cedar Mountain #04078	11 Sheep	03/01 to 05/10	100	4
	2 Cattle	03/01 to 05/12	100	5
	11 Sheep	12/01 to 02/28	100	7
	2 Cattle	12/01 to 02/28	100	<u>6</u>

Total 22

This lease would be subject to the following Special Terms and Conditions:

1. 21 sheep; 4 cows or 4 horses may be grazed from March 1- May 10 and December 1- February 28.
2. Following the weed treatment and reseeding, the allotment will be rested from livestock use for at least two growing seasons or until sufficient control of prickly pear and cheatgrass on the allotment is achieved to allow it to be useable for livestock.

FROM:

Cedar Mountain Trust, #0503671

Allotment <u>Name and Number</u>	Livestock <u>Number & Kind</u>	Period of use <u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Cedar Mountain #04078	11 Sheep	03/01 to 05/10	100	4
	2 Cattle	03/01 to 05/12	100	5
	11 Sheep	12/01 to 02/28	100	7
	2 Cattle	12/01 to 02/28	100	<u>6</u>
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1. Sheep, goats or cattle may be authorized on this allotment.
2. Use in the early spring pasture will be rotated annually.
3. The winter pasture will be partially used while feeding on private ground. The lease would continue to be subject to the standard and common terms and conditions.

TO:

Cedar Mountain Trust, #0503671

Allotment <u>Name and Number</u>	Livestock <u>Number & Kind</u>	Period of use <u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Cedar Mountain #04078	11 Sheep	03/01 to 05/10	100	4
	2 Cattle	03/01 to 05/12	100	5
	11 Sheep	12/01 to 02/28	100	7
	2 Cattle	12/01 to 02/28	100	<u>6</u>
		Total		22

This lease would be subject to the following Special Terms and Conditions:

1. 21 sheep; 4 cows or 4 horses may be grazed from March 1- May 10 and December 1- February 28.
2. Following the weed treatment and reseedling, the allotment will be rested from livestock use for at least two growing seasons or until sufficient control of prickly pear and cheatgrass on the allotment is achieved to allow it to be useable for livestock.

The lease would continue to be subject to the Standard and Common Terms and Conditions, see Attachment 2.

In addition to the lease renewal, two new projects are proposed (see Attachment 3 for locations):

Weed control

Approximately 19 acres within the South Cedar Mountain Allotment would be treated with Plateau to control cheatgrass. The application rate of the herbicide would be 4 oz/acre. The herbicide would be applied via a boom sprayer mounted on a four wheel drive truck or ATV. The area treated with Plateau would be followed by a seeding with a native seed mix. Plateau would be applied in the fall, and the seeding could take place in the winter or early spring, depending on snow cover. ATVs would be used to broadcast or drop seed a native grass seed mix, followed by ATVs dragging either a harrow, or sections of chain-link fence to cover the seed. This treatment would be followed by two years of rest from livestock grazing.

There is an area approximately 12 to 13 acres in size within the South Cedar Mountain Allotment that has become completely dominated by prickly pear. It is proposed to treat this area with picloram (Tordon 22K). Picloram would be applied to plains prickly pear cactus during the full bloom stage at a rate of 8 ounces per acre. If it is not possible to apply picloram at full bloom, 16 ounces per acre would be applied. The treated area would be rested from livestock grazing for at least two years to allow for perennial grass to re-establish. All use of pesticides on public lands will require BLM approval of a Pesticide Use Proposal prior to treatment.

NO ACTION ALTERNATIVE: No change in kind of livestock would occur under this alternative and no range improvements (vegetation treatments coupled with grazing rest) would be implemented. The Standards for Rangeland Health are not being met under this current system and it is unlikely that any resource recovery leading to the Standard being met would be realized under this alternative.

ALTERNATIVES CONSIDERED BUT ELIMINATED:

No Grazing Alternative: This alternative would cancel the lease on the allotment. As a result, livestock grazing would cease on the allotment. This alternative is eliminated from analysis in this EA because it would not conform to the RMP/ROD. The RMP/ROD identified livestock grazing as a suitable and appropriate uses on the allotments.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: There are no special designation air sheds or non-attainment areas nearby that would be affected by either alternative.

Environmental Consequences, Proposed Action: Chemical treatments could result in localized spray drift and volatilization of the chemicals associated with herbicide treatments moving offsite. These effects would be small in scale, temporary, and quickly dispersed throughout the vicinity of the treatment area with adherence to the appropriate Standard Operating Procedures (SOP); see Attachment #4. Provided SOPs are followed, and site-specific plans developed and reviewed before a treatment activity occurs, federal, state, and local air quality regulations would not be violated.

Beneficial impacts to air quality would result from the effective control of cheatgrass with the application of Plateau. Total emissions of fugitive dust, ash, CO₂, and CO resulting from wildfires could be reduced in the long term using this herbicide for future range restoration efforts to reduce rangelands infested with cheatgrass.

The most significant impacts to air quality would be moderate increases in noise, dust, and combustion engine exhaust generated by mechanical equipment during the herbicide spraying, broadcast seeding and seed covering operations. Impacts would be temporary, small in scale, and dispersed throughout the proposed project implementation phase.

Environmental Consequences, both alternatives: Vehicular access on existing roads for livestock management activities would result in minimal releases of dust emissions, but this would be minor and not affect the overall air quality of the area.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 08/26/09

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Rob Schmitzer, 3/24/08

CULTURAL RESOURCES

Affected Environment: Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for the allotment on September 16, 2009 by Robyn Watkins Morris, Little Snake Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the Field Office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from General Land Office (GLO) maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis developed for the allotment in this EA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in the allotment.

Allotment Number	Acres Surveyed at a Class III Level	Acres NOT Surveyed at a Class III Level	Percent of Allotment Inventoried at a Class III Level	Eligible or Need Data Sites- Known in Allotment	Estimated Sites for the Allotment *(total number)	Estimated Eligible or Need Data Sites in the Allotment (number)
4078	41	360	11%	1	9	3

(Note *Estimates of site densities are based on known inventory data. Estimates should be accepted as minimum figures which may be revised upwards based on future inventory findings.)

Six cultural resource inventories have been conducted within the allotment resulting in the complete coverage of 41 acres. One inventory was conducted in 1977 and was mapped as including the entire South Cedar Mountain Allotment. When the report was reviewed, however, it was determined that the entire allotment was not surveyed at Class III standards therefore this data has not been used in this review. One cultural resource has been recorded and it is an eligible prehistoric lithic scatter. The historic General Land Office plats were reviewed and historic roads are near portions of the allotment on the 1911 GLO plats. Nothing was found on the 1877 GLO plats.

Based on available data, a high potential for historic properties occurs in the allotment. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within ten year period of the lease.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

Environmental Consequence, both alternatives: The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gulying, and increased potential for unlawful collection and vandalism. Continued livestock use in these concentration areas may cause substantial ground disturbance and cause irreversible adverse effects to historic properties. The number and timing of the AUMs authorized is favorable to protect soil and vegetation, which will protect cultural resources. Saltblock placement, which creates a concentration area, along roads or anywhere in the allotment would potentially impact historic properties if they are in proximity of the placement.

Standard Stipulations for cultural resources are included in Standard and Common Terms and Conditions (Attachment 2).

Mitigation Measures: None.

Name of specialist and date: Robyn Watkins Morris, 9/16/09

ENVIRONMENTAL JUSTICE

Affected Environment: The proposed action is located in an area of isolated dwellings. Ranching and farming are the primary economic activities.

Environmental Consequences, both alternatives: The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None.

Name of specialist and date: Louise McMinn, 03/19/08

FLOOD PLAINS

Affected Environment: Not present.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 08/26/09

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present in the affected area. Invasive annuals such as downy brome (cheatgrass), blue mustard, yellow alyssum, filaree and bur buttercup dominate the allotment. Invasive annual weeds are typically established in disturbed and high traffic areas, whereas, biennial and perennial noxious weeds are less common in occurrence. Downy brome is on the Colorado List C of noxious weeds and is probably the most prevalent invasive species within the allotment. Cheatgrass (*Bromus tectorum* L.) is an annual grass that forms tufts up to 2 ft. (0.6 m) tall. These annual plants will germinate in fall or spring (fall is more common), and senescence usually occurs in summer. Cheatgrass invades rangelands, pastures, prairies, and other open areas and it has the potential to completely alter the ecosystems it invades. It can completely replace native vegetation and change fire regimes.

Pricklypear cactus (*Opuntia polyacantha* var. *hysricina*) dominates an area of the allotment approximately 12 acres in size. Pricklypear is native to the western United States; however, because of its ability to spread rapidly and outcompete more desirable forage species, it is undesirable in this circumstance. Prickly-pear has no forage value to livestock.

Colorado List B noxious weeds that may be present within the South Cedar Mountain Allotment include Canada thistle and bull thistle. Other Colorado List B noxious weeds that are present in the vicinity and could potentially become established within the allotment include Russian knapweed, hoary cress (whitetop), houndstongue, dalmation toadflax and other biennial thistles. The BLM cooperates with the Moffat County Cooperative Weed Management program to employ the principles of Integrated Pest Management to control noxious weeds on public lands.

Environmental Consequences, Proposed Action: Implementation of the Proposed Action would lead to the reduction of cheatgrass and other invasive species within the allotment. Areas of heavy cheatgrass infestation would be treated with Plateau, while areas dominated by prickly-pear cactus would be treated with Tordon 22K which would reduce both prickly-pear and Canada and bull thistle, and other broad-leafed weeds. When livestock grazing resumes under the Proposed Action, continued vehicular access to public lands for dispersed recreation and grazing operations, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance due to livestock concentration and human activities associated with grazing operations can also increase weed presence. The perennial noxious weeds in the area are less frequently established on the uplands but some potential exists for their establishment in draws and swales with moister soils. Increased vigilance on the part of the lessee would be critical for the detection of noxious weeds; once they are detected they can be controlled with various integrated pest management techniques. Land practices and land uses by the livestock operator and their weed control efforts would largely determine the identification and potential occurrence of weeds within the allotment.

Environmental Consequences, No Action: Under this alternative weeds could be treated under the cooperative agreement between BLM and Moffat County. The priority and intensity of the treatment would likely be lower under this alternative.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 08/27/09

MIGRATORY BIRDS

Affected Environment: The South Cedar Mountain Allotment provides potential nesting habitat for golden eagles and pinyon jay, both species are listed on the USFWS 2008 Birds of Conservation Concern List. There is one known active golden eagle nest site within this allotment.

Environmental Consequences, Proposed Action: The proposed grazing system and proposed weed treatments coupled with two growing seasons of rest would not have any impacts on nesting habitat for either golden eagles or pinyon jays. There is no chance for take to occur.

Environmental Consequences, No Action Alternative: The grazing system associated with the No Action Alternative would not have any impacts on nesting habitat for either golden eagles or pinyon jays. There is no chance for take to occur.

Mitigative Measures: None.

Name of specialist and date: Timothy Novotny 9/01/09

NATIVE AMERICAN CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 5, 2008. The letter listed the FY08 and FY09 projects that the BLM would notify them on and projects that would not require notification. A followup phone call was performed on June 16, 2008. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris, 09/16/09

PRIME & UNIQUE FARMLANDS

Affected Environment: There are no Prime and Unique Farmlands present within the South Cedar Mountain Allotment.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 08/26/09

T&E AND SENSITIVE ANIMALS

Affected Environment: There are no threatened or endangered animal species or habitats for such species present within this allotment. This allotment does contain nesting habitat for golden eagle, a special status species.

Environmental Consequences, both alternatives: There would be no impacts to threatened or endangered species or their habitats. Impacts to golden eagles are analyzed in the migratory bird section.

Mitigative Measures: None.

Name of specialist and date: Timothy Novotny 9/01/09

T&E AND SENSITIVE PLANTS

Affected Environment: There are no federally listed threatened or endangered or BLM sensitive plant species present the Cedar Mountain Allotment.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Hunter Seim, 3/24/2008

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no hazardous materials present on the South Cedar Mountain Allotment.

Environmental Consequences, both alternatives: Potential releases of hazardous materials could occur due to vehicular access for livestock management operations. Coolant, oil and fuel are materials that could potentially be released. Due to the limited amount of vehicular activity that is anticipated for the management of livestock on this allotment, the potential for releases of any of these materials is low and if a release were to occur, it would be minimal and highly localized and not result in an adverse impact to the allotment.

Herbicides could potentially be released during the weed control operation. Adherence to the stipulations found in Appendix 4 would minimize this impact.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 09/21/09

WATER QUALITY - GROUND

Affected Environment: The surface formations in the permit area are the Tertiary Browns Park and Tertiary age basalt flows. The exposed Brown's Park formation may be a recharge site for the Brown's Park aquifer. Tordon (picloram) movement through soil is restricted to the upper 2 – 4 feet of soil. The water wells within one quarter of a mile show water at 200 ft. below the surface.

Environmental Consequences, both alternatives: Grazing of livestock would not degrade the ground water quality. Application of Picloram will not affect water quality.

Mitigative Measures: None.

Name of specialist and date: Jennifer Maiolo, 03/17/08

WATER QUALITY - SURFACE

Affected Environment: There are no surface waters on BLM managed land in the South Cedar Mountain Allotment. The allotment is drained by an ephemeral drainage which flows into Cedar Mountain Gulch. This gulch joins the Pine Ridge Gulch which is an ephemeral tributary to the Yampa River. These tributaries to the Yampa River need to have water quality that will support Aquatic Life Warm 2, Recreation 2 and Agriculture. The tributary streams within this segment are designated use protected; "higher" use classifications would not be expected for these tributary stream segments in the future.

Environmental Consequences, Proposed Action: Controlling the invasive weeds within the allotment and returning the range to native plant species would improve the ability of the upland plant communities continue to provide the plant abundance, species diversity, and soil cover necessary to protect the local watershed. Grazing use of the allotment would not impair water quality. Water quality would continue to support the present classified uses.

Environmental Consequences, No Action: Grazing use of the allotment would not impair water quality under the No Action alternative. Water quality would continue to support the present classified uses.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 08/27/09

WETLANDS/RIPARIAN ZONES

Affected Environment: No riparian systems are present on the South Cedar Mountain Allotment.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 08/27/09

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Rob Schmitzer, 3/24/08

WILDERNESS, WSAs

Affected Environment: Not present.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Rob Schmitzer, 3/24/08

NON-CRITICAL ELEMENTS

RANGE MANAGEMENT

Affected Environment: The two current grazing leases for the South Cedar Mountain Allotment are identical in that they allow 11 sheep from 3/1-5/01 and 12/01-2/28; and 2 cattle from 3/01-5/12 and 12/01-2/28 for a total of 24 AUMs each. Under this system, there are no livestock on the allotment June-November. Goats may be grazed on the allotment under the existing leases, however, the lessees have not run goats for several years and do not wish to graze goats on the allotment in the future; therefore goats are removed from the grazing leases. The lessees would have to rest the allotment for two growing seasons following the vegetation treatments.

Environmental Consequences, Proposed Action: The dates of the grazing lease would not change under the Proposed Action; however livestock would be turned out early to take advantage of the early greenup of cheatgrass. Two weed treatments are proposed to help move the vegetation community away from one dominated by exotic annuals to one comprised of native perennial grass species. The vegetation treatments would be rested for at least two years after implementation to allow seeded species a chance to develop a strong root system which

could withstand grazing. During these two years of non-use the lessees would have to find alternate pasture or purchase hay to feed their animals on their private land.

Environmental Consequences, No Action: Vegetation treatments would not be implemented. It is unlikely that any movement toward meeting the land health standards would be achieved.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 09/09/09

SOILS

Affected Environment: The table below (Table 1) describes the primary soils of the public lands in the South Cedar Mountain Allotment. Surface soil characteristics are stable with good vegetative canopy in the form of juniper trees on the steeper slopes which protect the soils from accelerated erosion. There was some movement of soil particles and some rills in evidence when the site was assessed in 2008. Much of the allotment is dominated by cheatgrass, an annual grass which provides some soil stability in good years, but in a year with a dry spring followed by heavy rains in the summer, soil erosion could potentially be moderate to critical.

Table 1.

Soil Mapping Unit ¹	Map Unit Setting	Descriptions	Ecological Site
12— Berlake sandy loam, 3 to 12 percent slopes 33 Acres	<i>Major Land Resource</i> <i>Area:</i> 34 <i>Elevation:</i> 6,200 to 7,200' <i>Mean annual precip:</i> 13 to 15" <i>Mean annual air temp:</i> 42 to 45°F <i>Freeze-free period:</i> 75 to 95 days	<i>Landform:</i> Alluvial fans, hillslopes <i>Drainage Class:</i> Well drained <i>Slowest Permeability:</i> Moderately <i>Available Water Capacity:</i> 5.7" (low) <i>Runoff Class:</i> Medium	Sandy foothills
90— Grieves-Crestman complex, 10 to 40 percent slopes 205 Acres	<i>Major Land Resource</i> <i>Area:</i> 34 <i>Elevation:</i> 6,000 to 7,200' <i>Mean annual precip:</i> 11 to 12" <i>Mean Annual Air Temp:</i> 42 to 45°F <i>Freeze-Free Period:</i> 75 to 90 days	<i>Landform:</i> Hills <i>Drainage Class:</i> Somewhat excessively drained <i>Slowest permeability:</i> 2.0 to 6.0 in./hr. (moderately rapid) <i>Available water capacity:</i> 7.6" (moderate) <i>Runoff class:</i> Medium	Sandy foothills
199 - Torriorthents-Torripsamments complex, 12 to 40 percent	<i>Major Land Resource</i> <i>Area:</i> 34 <i>Elevation:</i> 6,000 to 7,200'	<i>Landform:</i> Hillslopes <i>Drainage Class:</i> well drained to excessively	n/a

slopes 32 Acres	<i>Mean annual precip:</i> 9 to 13" <i>Mean annual air temp:</i> 42 to 45°F <i>Freeze-free period:</i> 75 to 95 days	drained <i>Slowest permeability:</i> .2 to .6 in./hr. (moderately slow) to 6.0 to 20.0 (rapid) <i>Available water capacity:</i> 1.4 to 2.1" (very low) <i>Runoff class:</i> High	
206 - Ustorthents, frigid-Borolls complex, 25 to 75 percent slopes 30 Acres	<i>Major Land Resource Area:</i> 48A <i>Elevation:</i> 7,000 to 8,500' <i>Mean annual precip:</i> 16 to 20" <i>Mean annual air temp:</i> 37 to 45°F <i>Freeze-free period:</i> 50 to 85 days	<i>Landform:</i> Mountainsides <i>Drainage Class:</i> well drained <i>Slowest permeability:</i> .2 to .6 in./hr. (moderately slow) to .6 to 2.0 (moderate) <i>Available water capacity:</i> 2.5" (very low) to 4.5 (low) <i>Runoff class:</i> High	n/a
209 - Weed sandy loam, 1 to 12 percent slopes 22 Acres	<i>Major Land Resource Area:</i> 34 <i>Elevation:</i> 6,300 to 7,400' <i>Mean annual precip:</i> 13 to 15" <i>Mean annual air temp:</i> 42 to 45°F <i>Freeze-free period:</i> 75 to 95 days	<i>Landform:</i> Alluvial fans, hills <i>Drainage Class:</i> well drained <i>Slowest permeability:</i> .6 to 2.0 in./hr. (moderate) <i>Available water capacity:</i> 7.8" (moderate) <i>Runoff class:</i> Medium	Deep loam

Environmental Consequences, Proposed Action: Soil compaction and depleted soil cover are the most likely impacts to be incurred as a result of livestock grazing. These effects would occur on areas of concentrated use under either alternative. The affected land within the allotment has adequate plant and litter cover to reduce or eliminate this associated soil erosion, however because cheatgrass dominates a substantial area within the allotment, these areas are susceptible to higher rates of erosion. Treating the cheatgrass infested areas with Plateau, followed by seeding with native perennial grass and shrub species would minimize further loss of soils to erosion.

When grazing is resumed in the allotment after the proposed treatment, the utilization objective for perennial herbaceous forage is 50%. At this level, vegetative canopy cover would remain at the end of the grazing season in adequate amounts to protect soil stability. Utilization levels that exceed the objective could lead to accelerated soil erosion due to increased loss of canopy cover and litter. Many of the steeper slopes and erosive soils on the public land within the allotment receive little grazing as a result of the topography and would receive little to no impact under either alternative.

Environmental Consequences, No Action: The Standards for Rangeland Health would continue to be not met under this alternative. Long term rest from livestock grazing is not expected to change the conditions on the ground, nor would a continuation of grazing as it has been authorized for the past ten years.

Mitigative Measures: None.

Name of Specialist and date: Kathy McKinstry, 08/27/09

UPLAND VEGETATION

Affected Environment: The dominant range site within the South Cedar Mountain is sandy foothills. This range site typically supports a mixed sagebrush-antelope bitterbrush and grass communities. On the steeper slopes of the allotment, native vegetation can still be found. Shrubs within the South Cedar Mountain Allotment consist of Wyoming big sagebrush, bitterbrush, and green rabbitbrush. Forbs include lupine, prickly pear cactus, blue mustard, allysum and western salsify. Perennial grasses consist of Sandberg bluegrass, western wheatgrass, needle-and-thread, bottlebrush squirreltail, and basin wildrye. Dryland farming, producing either a hay or wheat crop, took place on some of the BLM managed lands in the past. This farming has since ceased, however, much of the vegetation on the flatter topography in the allotment was converted to a cultivated species at one time and has since been invaded with weedy species.

Environmental Consequences, Proposed Action: The Plateau treatment would result in beneficial impacts to native vegetation by reducing the early germination and competition of cheatgrass, thus, allowing the seeded native vegetation to utilize the full complement of soil and water resources available, insuring abundance, diversity, reproduction, and perseverance of desired native species. There is a minor risk of inhibiting the germination of some native species in the treatment area. With Plateau being a relatively new treatment option for the BLM, this proposed action would provide a valuable tool in monitoring the results of the Plateau treatment and applying the knowledge and lessons learned to other range rehabilitation projects.

Applying Tordon 22K to the dense stands of prickly-pear cactus would result in beneficial impacts to desirable perennial grass species by reducing competition with prickly-pear. However, the herbicide could come into contact with and impact non-target plants through drift, runoff, wind transport, or accidental spills and direct spraying. Potential impacts include mortality, reduced productivity, and abnormal growth. Risk to off-site plants from spray drift is greater under scenarios with smaller buffer zones and application from greater heights (i.e., aerial application or ground application with a high boom). Risk to off-site plants from surface runoff is influenced by precipitation rate, soil type, and application area. Plant receptors would be at risk under most accidental exposure scenarios (i.e., direct spray or spill). Application rate is a major factor in determining risk, with higher application associated with greater risk to plants under various exposure scenarios (BLM Vegetation Treatments Using Herbicides, Final Programmatic EIS, June 2007).

Environmental Consequences, No Action: Continuing to turn livestock out on the allotment early in the spring (3/1) may have some effect on reducing the amount of cheatgrass. Surveys and literature have shown that targeted grazing can be an effective tool to control cheatgrass and heavy repeated grazing for two or more years will reduce plant density, size, and seed production. However, grazing must be closely monitored to avoid damage to desirable

perennial plants species. Targeted grazing to reduce cheatgrass on the South Cedar Mountain Allotment would not be effective due to the low number of livestock permitted in the allotment and because of the small area of cheatgrass infestation. Once the green vegetation is consumed and the remaining cheatgrass dries out, livestock would be left with very little nutritious forage in the allotment. In addition, because cheatgrass has the ability to produce seed regardless of grazing pressure or growing conditions and because of a high amount of seed reserve in the soil, cheatgrass can sustain heavy grazing use with no noticeable reduction in biomass the following year.

Plains prickly-pear would continue to persist and would expand its encroachment in the allotment under the No Action Alternative. Livestock avoid areas heavily infested with prickly-pear; this avoidance would cause other areas of the allotment to be over-utilized. The disturbance from overgrazing would then foster the spread of prickly-pear.

The No Action Alternative would limit the abundance, diversity, reproduction, and perseverance of desired native species and the Standards for Rangeland Health would not be met.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 09/09/09

WILDLIFE, AQUATIC

Affected Environment: There is no habitat for aquatic wildlife species within this allotment.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of Specialist and Date: Tim Novotny, 09/01/09

WILDLIFE, TERRESTRIAL

Affected Environment: The South Cedar Mountain Allotment provides year round habitats for mule deer, pronghorn antelope and elk. This allotment is mapped as severe winter habitat for both mule deer and elk. During a field visit in the summer of 2008, many mule deer carcasses were found under juniper trees within this allotment. The juniper trees were browsed by the mule deer and the mule deer appeared to have died during the hard winter. A variety of small mammals, song birds and reptiles may also be found within this allotment as well.

Environmental Consequences, Proposed Action: The proposed grazing system would not have negative impacts on big game habitats within this allotment. The proposed change in class of livestock to allow horses to use this allotment as well would be compatible with big game habitat provided that utilization objectives are met. The treatment of cheatgrass with Plateau and

the treatment of prickly pear cactus with Tordon 22K would improve wildlife habitats. A total of 31.5 acres is expected to be restored to a healthy condition as a result of these treatments. Small mammals, song birds and reptiles would benefit most from these treatments. These species should not be impacted negatively by the proposed grazing system.

Environmental Consequences, No Action Alternative: The No Action Alternative would allow grazing to continue within this allotment as it has occurred for the previous ten years. This alternative would not allow for the treatment of prickly pear cactus or cheatgrass. It is unlikely that wildlife habitats would improve under this alternative. There would not be any negative impacts to wildlife species or their habitats as a result.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny, 9/01/09

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Fluid Minerals	JAM 03/17/08		
Forest Management	KLM 03/17/08		
Hydrology/Ground		JAM 03/17/98	
Hydrology/Surface		KLM 09/01/09	
Paleontology		JAM 03/17/08	
Range Management			KLM 09/01/09
Realty Authorizations	LM 03/19/08		
Recreation/Travel Mgmt		RS 3/24/08	
Socio-Economics		LM 03/19/08	
Solid Minerals	JAM 03/17/08		
Visual Resources		RS 3/24/08	
Wild Horse & Burro Mgmt	KLM 03/17/08		

CUMULATIVE IMPACTS SUMMARY: The allotment and the areas surrounding it have historically been grazed by sheep, cattle, goats and horses. Numerous maintained and un-maintained roads exist throughout the area, including on the allotment. These roads are used regularly by local residents and ranchers as well as by hunters, the primary recreation users in the area. Wildlife populations in the area are high, especially for deer and elk that compete with livestock for available forage throughout the area. The primary impacts from all of these

activities are most immediately seen in the presence of roads, increased vehicular traffic, cultivation on private lands, and weed presence. The Proposed Action to continue grazing on this allotment is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The South Cedar Mountain Allotment is currently not capable of supporting healthy, diverse wildlife populations. The Proposed Action and the No Action Alternative allow for stocking rates that would ensure that livestock grazing does not have continued negative impacts on wildlife habitats. Treatment of prickly pear cactus and cheatgrass would restore approximately 31.5 acres of wildlife habitat. Many wildlife species would benefit from this treatment. The proposed livestock grazing system, along with the proposed treatments of prickly pear cactus and cheatgrass, would allow this allotment to meet this standard in the future.

This standard would not be met under the No Action Alternative.

Name of specialist and date: Timothy Novotny, 9/01/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD: There are no threatened or endangered species or habitats for such species present within this allotment. The South Cedar Mountain Allotment does provide nesting habitat for golden eagles and there is one active nest within this allotment. Neither the Proposed Action nor the No Action Alternative would have a negative impact on golden eagle nest sites. The proposed treatments of prickly pear cactus and cheatgrass would improve habitats for prey species for golden eagles and improved habitats for these species may result in increased prey abundance for golden eagles. This standard is currently being met and would continue to be met in the future under either alternative.

Name of specialist and date: Timothy Novotny, 9/01/09

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: The South Cedar Mountain Allotment is currently not meeting the standard for healthy plant communities. Although a percentage of the allotment supports diverse, productive perennial grass and forb communities capable of providing resilience to human activities, a larger percentage fails to meet the native species standard on one or more indicators relating to vegetation. The allotment is not meeting this standard because of unacceptable levels of non-native species. Cheatgrass, yellow alyssum, bur buttercup and prickly-pear are common on most sites. One site is a complete type conversion to annual grass. In addition to the cheatgrass infestation, the South Cedar Mountain allotment displays poor plant diversity, density and production.

Past livestock management is likely a causative factor for the allotment not meeting the standard for native vegetation, however, properly managed grazing under the former lease (1999-2009) should have met the standard. Unauthorized feeding of domestic animals (horses and cattle) has

taken place on portions of the South Cedar Mountain in the past. While this activity has ceased, the concentrated trampling and compaction created an area of disturbance that was quickly taken over by invasive species.

Another causative factor for a portion of the allotment not meeting this standard is due to past unauthorized farming on BLM managed lands. This farming has been discontinued, however, the area was never replanted with native species and non-native invasive species have become well established.

The Proposed Action which includes treating the areas which are heavily infested with noxious weed species, re-seeding the areas with a mix of native perennial grasses, forbs and shrubs, coupled with two years of rest from grazing would begin the process of ecological rehabilitation. Under favorable conditions, recovery can be expected within the next ten years.

Under the No Action Alternative, this standard would not be met.

Name of specialist and date: Kathy McKinstry, 09/09/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species present on the Cedar Mountain Allotment. This standard does not apply.

Name of specialist and date: Hunter Seim, 3/24/08

RIPARIAN SYSTEMS STANDARD: There are no wetlands or riparian systems within this grazing allotment. This standard does not apply.

Name of specialist and date: Timothy Novotny, 9/01/09

WATER QUALITY STANDARD: The water quality standard for healthy rangelands would be met with implementation of either the Proposed Action or No Action Alternatives. Runoff from snowmelt and summer storms drains from the South Cedar Mountain Allotment drains into stream segments that are presently supporting classified uses. No stream segments are listed as impaired.

Name of specialist and date: Kathy McKinstry, 09/01/09

UPLAND SOILS STANDARD: The upland soil standard for healthy rangelands would continue to be met with the implementation of either the Proposed Action or No Action Alternatives. Upland soils are exhibiting slight erosion characteristics on moderate slopes. The slight movement of soil particles and surface litter is appropriate for the moderate slopes. The current plant community provides good cover but with a mix of non-native species that may not persist under differing climatic conditions. A return to native vegetation would provide more resilient soil cover and protection. When and if the vegetation returns to a more natural state,

proper grazing use of the forage resource would maintain sufficient residual forage for upland soil health to be maintained.

Name of specialist and date: Kathy McKinstry, 09/01/09

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, James Stehle, John Stehle.

ATTACHMENTS:

Attachment 1- Allotment Map

Attachment 2 – Stand Terms and Conditions

Attachment 3 – Map of Proposed Treatment Areas

Attachment 4 – BLM LSFO PUP Stipulations

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Based on the analysis of potential environmental impacts contained in EA CO-100-2008-046 and all other available information, I have determined that the proposal and the alternatives analyzed do not constitute a major Federal action that would adversely impact the quality of the human environment. Therefore, an EIS is unnecessary and will not be prepared. This determination is based on the following factors:

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Field Office jurisdiction and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time, there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

Attachment 2
EA CO-100-2008-046
Standard Terms and Conditions

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
 - a. Non compliance by the permittee/lessee with rules and regulations;
 - b. Loss of control by the permittee/lessee of all or part of the property upon which it is based;
 - c. A transfer of grazing preference by the permittee/lessee to another party;
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotments(s) described;
 - e. Repeated willful unauthorized grazing use;
 - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit of lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
- 10) Grazing fee payments are due on the due date specified on the billing notice and **MUST** be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.

- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

Common Terms and Conditions

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.
- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer. The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing

activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days, the authorized officer will inform the operator as to:

- whether the materials appear to be eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Attachment 4
BLM LSFO PUP Stipulations
CO-100-2008-0046 EA

General Stipulations:

- All herbicide treatments on BLM administered lands will comply with applicable federal and state statutory and regulatory requirements.
- Manufacturers label directions and guidelines, including but not limited to, application rates, uses, handling instructions, storage and disposal requirements, will be followed
- All BLM procedures (BLM Handbook H-9011-1 Chemical Pest Control) and Manuals 1112 Safety, 9011 Chemical Pest Control, and 9015 Integrated Weed Management, and any other BLM requirements will be followed. Where more restrictive, BLMs requirements for rates, uses, and handling instructions will apply.
- Only certified applicators, or those directly supervised by a certified applicator, may apply herbicide on BLM administered public lands.

To ensure that risks to human health and the environment from herbicide treatments are kept to a minimum, and that all practicable means to avoid or minimize environmental harm have been adopted, the following will apply:

- All herbicide treatments will be consistent with the Standard Operating Procedures (SOPs) presented in the ROD of the 2007 Final *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement* (PEIS).
- Measures to mitigate potential adverse environmental effects as a result of herbicide treatments as found in the ROD of the PEIS.
- All conservation measures, designed to protect plants and animals listed or proposed for listing as threatened or endangered under the Endangered Species Act, as found in the Biological Assessment of the PEIS.

Cultural Resources Discovery

The applicator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

SOURCE:

DOI-BLM-CO-N010-2009-0025-EA (Draft)